

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6/25/08</u>

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ERIK HERZFELD,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:07-cv-9439 DLC
)	ECF CASE
)	
JPMORGAN CHASE BANK, N.A.,)	
)	
)	
Defendant)	

REVISED AND STIPULATED SCHEDULING ORDER

Plaintiff Erik Herzfeld, by and through his counsel Paul Frank + Collins P.C., and defendant JPMorgan Chase Bank, N.A., ("JPMorgan Chase") by and through its counsel, Satterlee Stephens Burke & Burke LLP, agree to the following discovery stipulation and order:

1. Fact discovery shall be completed by **September 26, 2008** (original date: June 27, 2008).
2. The following motion will be served by the dates indicated below.

Any motion for summary judgment:

- Motion served by **October 17, 2008** (original date: July 18, 2008)
- Opposition served by **November 7, 2008** (original date: August 8, 2008).
- Reply served by **November 14, 2008** (original date: August 15, 2008)

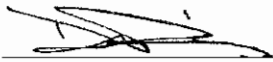
At the time any Reply is served, the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

3. In the event no motion is filed, the Joint Pretrial Order must be filed by **October 17, 2008** (original date: July 18, 2008).

As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. Counsel will provide the Court with two (2) courtesy copies of all pretrial documents at time of filing.

Dated: June __, 2008

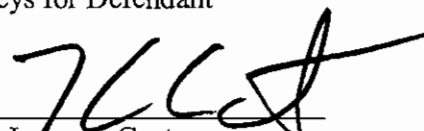
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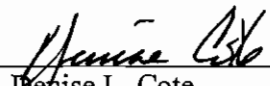
Dated: June __, 2008

SATTERLEE STEPHENS BURKE &
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There shall be no further extension of the 10/17/08 dates.
SO ORDERED: June 25, 2008


Hon. Denise L. Cote,
United States District Judge